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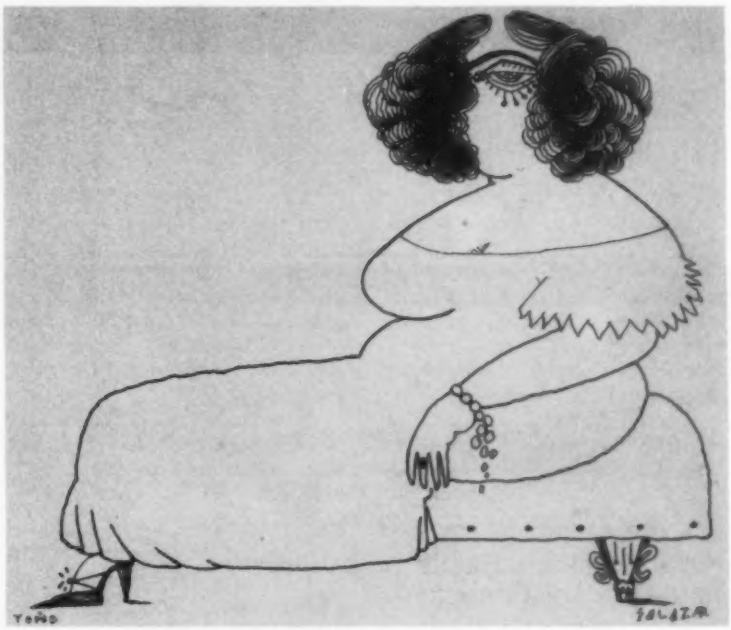
Exhibit Features Gift to the Library of Works by Caricaturist Toño Salazar



Uruguayan poetess, Delmira Agustini (1886–1914), by Toño Salazar.

An exhibit of the work of Latin American caricaturist Antonio "Toño" Salazar has opened in the Oval Gallery in the James Madison Memorial Building of the Library of Congress. The exhibit, of selected items from the recently received gift of more than 100 caricatures produced by Toño Salazar and presented to the Library of Congress by his widow, Señora Carmela G. de Salazar, is to remain in place until November 6.

Antonio Salazar (1897–1986), who was born in Santa Tecla, El Salvador, was very much a man of two worlds—the worlds of art

(Cont. on p. 326)

Also in This Issue . . .

NAC considers intellectual property in network context 326

New reference in Jewish studies ... 328

"American Treasury" 329

Library receives *Encyclopedia of the Ukraine* 329

Staff news 330

Calendar 332

Salazar *(Cont. from p. 325)*
and international diplomacy. In both, he served as an envoy between Latin America and Europe. As a diplomat he represented his native El Salvador to foreign governments for two decades. As an artist he was even more influential. Through his caricatures published in journals and magazines, Toño Salazar introduced Europe and the Americas to many of the rising and established luminaries of modern Latin American art, politics, and culture.

The artist enjoyed considerable familiarity with many of the great figures of 20th-century history. While quite young, Salazar moved to Mexico City. There he lived and studied, during the period of great intellectual ferment following the revolution. Later, in the 1930s, he lived in Paris, where he moved among the prominent literati and intellectuals. Jean Cocteau, Pablo Picasso, and Igor Stravinsky all appear in his caricatures from this period. In 1940 Salazar moved to Argentina, where he drew regularly for several Latin American journals. Many of the subjects he portrayed are South and Central American artists and public figures. Others are Spanish authors who have had a palpable impact on the intellectual life of Latin America. The Library's collection also includes many of Salazar's caricatures of world figures ranging from Haile Selassie to Henry Kissinger.

Salazar's drawings, like those of Miguel Covarrubias, José Guadalupe Posada, and other meso-American caricaturists, are deeply rooted in the culture of the region. They possess the mystery, the decorative energy, and sense of the grotesque which one associates with pre-Columbian art. As such the drawings show the artist to have been, despite his many years abroad, a true citizen of the Hispanic world.

The drawings are in the custody of the Prints and Photographs Division, and are not currently available to readers, pending processing.

At the opening of the exhibit at the Library were Carmela G. de Salazar (left); Nuria Segrera; John R. Hébert, acting chief, Hispanic Division; and Warren Tsuneishi, acting assistant librarian for research services.

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Bruce Tapper, Editor

NAC Considers Intellectual Property In a Network Context

The Library of Congress Network Advisory Committee (NAC) chaired by Henriette D. Avram has held two program sessions on the complex issues of intellectual property rights for library networks and information providers.

The first program session (April 23–24, 1987) attempted to provide NAC members with a better understanding of the issues of intellectual property rights in the new technology-driven electronic environment. The major focus of that program session was the 1986 OTA study, *Intellectual Property Rights in an Age of Electronics and Information*. This study reports that the new information and communications technologies available today are challenging the intellectual property system in ways that may only be resolved by substantial changes in the system or by new mechanisms

to allocate both rights and rewards. Once a relatively slow and ponderous process, technological change is now outpacing the legal structure that governs the system, and is creating pressures on the Congress to adjust the law to accommodate these changes.

The second program session (March 23–25, 1988) was held to identify the key issues of intellectual property rights in a network environment. Robert L. Oakley, director of the Georgetown University Law Center Library, prepared a background paper for the session. In the paper he identified some of the problems that were created by the developing information technology with regard to the intellectual property system in the United States. Mr. Oakley reviewed several options for dealing with some of the problems and raised a number of questions.

The goals for this meeting were (1) to continue the educational process for NAC organizations; (2) to isolate and describe the issues and propose solutions; (3) to disseminate the results to NAC constituent groups; and (4) if suitable, to forward a recommendation to the appropriate congressional committee through The Librarian of Congress.

The first speaker was Robert J. Kost, a counsel with TRINTEX—an information and transactional service provider—and previously the legal analyst for the OTA report. According to Mr. Kost, the fundamental argument of the OTA report was that the technology which had both necessitated copyright and made it possible has shifted out from under copyright. Copyright had originally relied on a centralized bottleneck for making copies: the printing press. It has since become increasingly difficult to enforce due to technological developments. Although copyright attempts to offer general coverage, Mr. Kost predicted the replacement of copyright by contracts of adherence and bureaucracy, both private and public. Computer networks which transport the information to users were seen by Mr. Kost as the acid test of a copyright law that would claim robustness. Mr. Kost proposed an alternative system, provisionally called "use right" rather than copyright.

Under that system a participant could at any given time be the originator, distributor, and consumer. An originator is one whose name is attached to the file when loaded to the network; a distributor is one who unloads an originator's work to the network to send it on to a consumer and whose name is attached to all copies of the work that he distributes; and finally a consumer is the terminus in the chain, who downloads the originator's file and attaches his name to the record that is sent to the originator.

"Use right" operates using three basic principles: (1) only an originator can receive payment for copies; (2) the distributor can be paid only by the originator for the copies he has uploaded; and (3) the consumer can only pay the originator for copies he has downloaded. Mr. Kost emphasized that these principles have to be supplemented by a number of rules. He concluded his presentation by depicting a scenario of uncontrolled copying, based solely on "use right."

The second speaker, Stanley Besen, an economist at the RAND Corporation who recently completed a study on the impact of private copying for it, spelled out some results of employing "collecting societies" to provide compensation to creators. He also addressed the topic of the economics of sharing in its broadest terms. Technological change has altered the quantitative nature of sharing. More users may use the same original. Examples of sharing cited included photocopying, computer software copying, copying of audio and video cassettes, and borrowing from libraries.

Mr. Besen described various ways in which producers may respond to increased sharing, including self help and cooperative behavior. Under self help, for instance, he cited changing the price of originals; technical fixes (engineering adaptations); and changing marketing strategies. Cooperative behavior can be seen in the use of compulsory royalties or copyright collectives. Some results of the analysis of self help through changing the prices of originals were presented. In this analysis, the costs of copies are critical. Mr. Besen said collectives function to economize on collections, establish royalties, and distribute the proceeds. The effects of collectivization were the lowering of transaction costs, cooperative pricing, and collective distribution.

In his concluding remarks, Mr. Besen described the roles the Federal government might play as including: (1) antitrust oversight, (2) administrative oversight, (3) limitation to collective enforcement, and (4) compulsory licensing.

The third speaker, Marybeth Peters, policy planning adviser at the Library of Congress' Copyright Office, outlined the present functions of the Copyright Office: (1) to register claims to copyright and to catalog these claims and maintain accurate public records; (2) to license cable systems and jukeboxes; (3) to advise the Congress on matters of domestic legislation and copyright policy; and (4) to assist in formulating and maintaining international copyright policy.

One of the tasks assigned to the Copyright Office is to report every five years on whether or not section 108 of the copyright law, the library photocopying section, has achieved the intended statutory balance between the rights of the creators and the needs of users. In his January 1988 report, the Register of Copyrights advocated that this study either be expanded to include

(Cont. on p. 328)

NAC *(Cont. from p. 327)*
new technologies or that the time period between studies be lengthened to ten years.

Ms. Peters mentioned that one of the more difficult issues facing the Copyright Office is determining the standard of originality to be applied to compilations of facts and automated databases. In these cases the extent of human authorship is a major question. She noted that the Copyright Office recently adjusted its practices on exhaustive compilations of facts that involve no selectivity of judgment such as membership lists that represent the universe of all members. These are now being refused registration.

Ms. Peters also touched briefly on the OCLC disputed copyright claims. She stated that the Copyright Office is an office of record—it neither grants nor issues a copyright. When there is a reasonable doubt about whether the works constitute copyrightable subject matter or that the other legal and formal requirements of the law and the office's regulations have been met, the office resolves the doubt in favor of the applicant. Ultimately, it is a court that decides whether a valid copyright subsists and who is the author and owner of the work. Today OCLC registers a claim in its updated database once a month; the day chosen for registration is a day when OCLC does not load Library of Congress records into the database. With uploaded databases, it is up to the database provider to decide how often to register.

Finally, Ms. Peters said she did not advocate an expanded role for the Copyright Office which would include quasi-judicial or ratemaking powers. In this regard she noted that the copyright examiners consist of generalists and not subject-matter specialists.

The last speaker, Jon Baumgarten, a copyright lawyer and partner in the law firm of Proskauer, Rose, Goetz and Mendelsohn, and also a former general counsel to the Copyright Office, addressed the question of whether there is a need to amend the copyright law to meet the challenges of new technologies. Mr. Baumgarten said that particular adjustments and changes, perhaps even supplementations in some areas (such as adequate protection of databases), will be necessary. However, he emphasized his opinion that the copyright law was not in need of general overhaul. The tendency of some to view the contemporary copyright law as obsolete reflects a great conceit of the present age—a tendency to believe that contemporary issues are so utterly novel that they defy applications of the lessons and principles of the past. He referred to one of OTA's principal themes that the copyright law needed revision to reflect a trichotomy—works of art, of fact, and of utility. However, Mr. Baumgarten agreed that copyright law has always made the relevant distinctions between these precise types of work, but noted that such distinctions were and are made when they are pertinent from a legal and policy point of view, not simply because one can apply different labels to different works.

Mr. Baumgarten also discussed the traditional justifications offered by the courts to protect conventional "hard copy" databases such as telephone directories: (1) selection of content, (2) arrangement of data, and (3) labor of compilation. He analyzed the shortcomings of each of these justifications for electronic databases. Mr. Baumgarten emphasized in his closing statements that economically it makes no difference to the copyright owner of an article whether 10,000 unauthorized copies are made of his article by one person for distribution to others, or one unauthorized copy each is made by 10,000 persons. So-called "private use" of copyrighted works thus poses difficult questions, but technology may help provide not only the cause, but also the solution to some of these problems.

Robert L. Oakley chaired the program subcommittee for the NAC meeting. Other members included Henriette D. Avram, Library of Congress; Charles P. Bourne, DIALOG Information Service Inc.; Lois Ann Colaianni, National Library of Medicine; Mary Ellen Jacob, OCLC; and Ronald F. Miller, Cooperative Library Agency for Systems and Services.

The summary was prepared by Sigrid G. Harriman, NAC secretariat. The results of the first meeting have been issued as No. 16 in the Network Planning Paper series and are available for $7.50 from the Cataloging Distribution Service, Library of Congress, Washington, DC 20541, under the title "Intellectual Property Rights in an Electronic Age: Proceedings of the Library of Congress Network Advisory Committee Meeting April 22-24, 1987." The proceedings of the second meeting (March 23-25, 1988) are being prepared and will be issued as No. 17 in the same series. An announcement will be made when No. 17 is available for sale from the Cataloging Distribution Service. For additional information contact the NAC secretariat at the Network Development and MARC Standards Office, Library of Congress, Washington, DC 20540; or call (202) 287-5956.

New Reference Work In Jewish Studies

Judaica bibliography has been enriched by the publication of *A History and Guide to Judaic Encyclopedias and Lexicons* (Cincinnati: Hebrew Union College Press, 1987) by Shimon Brisman, Jewish studies bibliographer at the University of California at Los Angeles.

Providing detailed descriptions of more than 360 encyclopedias and biographical dictionaries in the field of Jewish studies, the guide covers a broad range of subject areas, including Bible, Judaism, Talmud, and Zionism, as well as general encyclopedias.

The titles cited by the author are

annotated with detailed historical and bibliographical descriptions. Lists summarizing key elements of the works cited, with information on the encyclopedia's editors, follow each chapter.

This volume, the second of a planned three-volume work entitled *Jewish Research Literature* (vol. 1, *A History and Guide to Judaic Bibliography*, was published in 1977), received the 1987 Harold Mason Reference Award for the best reference work in Jewish studies from the Association of Jewish Libraries.

After processing, a copy of this guide may be consulted in the Hebraic Section.

—Michael Grunberger

AMERICAN TREASURY

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This week's question, drawn from the CBS News "American Treasury" series, broadcast each weekday at 3:57 p.m. (EDT) on the CBS Television Network, is:

Who invented the crescent-shaped bread called the croissant?

The answer to last week's question is:

When the Civil War broke out, President Lincoln offered command of the Union Army to Robert E. Lee, but Lee's allegiance lay elsewhere.

Library Receives *Encyclopedia of the Ukraine*

Danylo H. Struk (right) presents the Encyclopedia of the Ukraine *to Librarian of Congress James H. Billington.*

The Library of Congress received a gift of the first two volumes of the *Encyclopedia of the Ukraine* from Danylo H. Struk, in a ceremony on April 15. In presenting the books to Librarian of Congress James H. Billington, Dr. Struk, managing editor of the *Encyclopedia* project, noted that the remaining volumes in the set will be donated as they are published.

The projected five-volume reference work, an outgrowth of the *Entsyklopediia Ukraïnoznavstva*, is designed to facilitate study of Ukrainian topics in English. Entries fall into several major categories: Ukrainian culture and history, scholarship, international relations and ethnography, and society. Completion of the *Encyclopedia*, a University of Toronto Press publication, is expected by 1992.

Correction

Two Soviet participants in the "Seminar on Access to Library Resources Through Technology and Preservation" were inadvertently misidentified in the photo caption on p. 309 (LC *Information Bulletin*, July 25). The first two persons from the left are Aleksandr A. Dzhigo and Aleksandr A. Ratnikov, both of the All-Union Book Chamber.

JOIN THE FUN!

LIBRARY OF CONGRESS FAMILY DAY

SATURDAY, SEPTEMBER 24, 1-5 P.M., MADISON PLAZA
FREE ENTERTAINMENT – FREE REFRESHMENTS – FREE BALLOONS

Help is needed on some of the committees. Volunteer by calling committee chairs: **Site planning and logistics:** Nancy Mitchell, 75218; Kim Moden, 71523; **Physical design, implementation:** Don Jones, 77512; Dennis Roth, 77636; **Entertainment producer;** Magdalena Gilinsky, 76590; **Talent Coordinator:** Reba Burruss, 78180; **Food service:** Jackie Granville, 76584; **Balloons:** Grace Hall/Pat Hines, 77211; **Publicity:** Jean Walker, 78080; **Event headquarters, first aid, message center:** Lou Mortimer, 76080; Rob Sullivan, 75330; **Police and safety;** L. Mortimer, 76080; Martez Baker, 72203; **Clean-up:** Fred Protopappas, 77921; **Door prizes:** Linda Gaynor, 71289.

Don't forget to pick up free tickets for you and your children at the Information Office, and urge your co-workers to do so. The count will give us an indication of the amount of food we need to prepare.

STAFF NEWS

Staff Activities

Louis Fisher, specialist in the Government Division of the Congressional Research Service, participated in a senior conference at the U.S. Military Academy in West Point, N.Y., on June 2–4. The theme of the conference was "U.S. National Strategy in the 1990s." During June 12–19 he participated in the United States-Mexico Comparative Constitutional Law Conference in Mexico City. His paper, presented at the National Autonomous University of Mexico (UNAM), was titled "Executive-Legislative Relations in Foreign Policy."

Pat Gray, promotion specialist in the Cataloging Distribution Service Marketing Unit, is teaching a class in modern American poetry for the Smithsonian Resident Associates Program. The six-week class ends August 10 and features early moderns such as Frost and Eliot as well as contemporary poets such as Sharon Olds and Henry Taylor.

Robert Harriman, United States Newspaper Program (USNP) technical coordinator, and **Todd Butler,** CONSER/USNP specialist, both of the Serial Record Division, recently presented a four-day workshop for new participants in the United States Newspaper Program. The workshop was held in April at the Online Computer Library Center (OCLC) in Dublin, Ohio. Participants who attended the April workshop represented USNP projects in seven states: Arkansas, Idaho, Indiana, Maryland, Massachusetts, Pennsylvania, and Washington. Project staff members will identify and locate newspaper collections within their respective states, inventory and catalog U.S. imprints from those collections, and select and microfilm important newspapers. During the workshop, USNP participants received instruction in program management, fieldwork, cataloging, and union listing. Participants are associate members of the CONSER Program, and bibliographic records entered into OCLC by state projects are part of the CONSER database. Holding records are entered into OCLC's union list component. The United States Newspaper Program is partially funded by the National Endowment for the Humanities. The Office of Preservation of the endowment and the Library of Congress jointly administer the program.

John B. Henderson, who retired from the position of senior specialist in the Congressional Research Service at the end of 1985, received the degree of Doctor of Laws *honoris causa* from the University of St. Andrews in Scotland on July 7. He had graduated from St. Andrews University 49 years previously.

Maureen Landry, head of Cataloging Section I, Serial Record Division, conducted a workshop on serials cataloging on June 7 at Virginia Polytechnic Institute and State University (VPI). Participants were library personnel from VPI and surrounding university and public libraries. Two of the major topics covered in the workshop were the use of access points and the handling of series at the Library of Congress.

Frank Mack, staff attorney, formerly Office of the General Counsel and now with the Office of the Counsel for Personnel, was honored at the June 30 Annual Meeting Assembly of the District of Columbia Bar as one of 13 Pro Bono Lawyers of the Year. Mr. Mack was cited for "unselfish service to the legal community and the D.C. Bar, meriting the grateful recognition and esteem of the entire membership."

Library regulations (LCR 2023-3, Section 2.D.) encourage staff attorneys, in off-duty hours and consistent with local court rules and official responsibilities, to participate in programs which provide legal assistance and representation to indigent persons.

Julia F. Pettross, special assistant to the chief, Geography and Map Division, was awarded a certificate of accomplishment in the specialized program in "Library Technology" in ceremonies at the Graduate School, U.S. Department of Agriculture, on June 15 by its director, Philip H. Hudson, and by Sam Waters, chairman of the Library Advisory Committee.

David Taylor, folklife specialist in the American Folklife Center, attended the annual meeting of the Folklore Studies Association of Canada, held at the University of Windsor, Windsor, Ontario, on May 28 and 29. Mr. Taylor presented a paper based on fieldwork conducted in the "Little Canada" neighborhood of Lowell, Mass., as part of the Folklife Center's Lowell Folklife Project. The panel at which the paper was presented was titled "Americans in Canada, and Canadians in America."

Staff Carpool Locator

Rider/driver seeks to join established carpool, or form new one, from Arlington, Va., (Clarendon) near Route 50. Needs to arrive at the Library at 6:30 a.m., depart 3 p.m. Call Dan, ext. 79235.

Rider seeks to join carpool from Cabin John to the Library, arriving any time between 8 and 9 a.m. Call Nahid, ext. 75422.

Meetings and Events Around the Library

Thursday, August 18
☐ "Archibald MacLeish and his Reorganization of the Library of Congress," John Y. Cole, executive director, Center for the Book. LCPA. Room LM 642, 12:10 p.m.

Thursday August 25
☐ "Credit Counseling," explaining the services of non-profit consumer credit counseling agencies, National Foundation for Consumer Credit speaker. Mumford Room, 11:30 a.m.

Thursday, September 1
☐ "T. G. Masaryk and America," display commemorating the 70th anniversary of Czechoslovakia and the American connection with its first president, opens in the European Reading Room.

Events are open to the public unless otherwise noted.

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